

Appl. No. 10/816,291
Reply Filed: July 25, 2008
Reply to Office Action of: April 30, 2008

REMARKS

In response to the Office Action mailed April 30, 2008, the Applicant submits this Reply. In view of the following remarks, reconsideration is requested.

Claims 1-5 remain in this application, of which claim 1 is independent. Claims 1-5 were rejected. No fee is due for claims for this amendment.

Rejection under 35 U.S.C. §101

Claims 1-5 of this application, were rejected as being directed to non-statutory subject matter. Specifically, the Office Action asserts that "the graphical user interface as claimed appears to be directed to non-functional descriptive material since the claims are lacking any hardware to enable functionality of the GUI to be realized." However, these claims are in means plus function format and need not recite specific structure(s) under 35 U.S.C. 112(6). Moreover, Applicant asserts that the editing window itself is a concrete, useful, and tangible result. However, in an effort to advance prosecution, Applicant has amended claim 1 to recite "a display operable to present the editing window including both the one or more transformation hierarchies and the one or more effects trees to the user," thereby reaffirming the concrete, useful, and tangible result provided by the present claims. Support for such amendment is found, for example, in the present application at page 7, lines 13-16.

Rejections Under 35 U.S.C. §103

Claims 1-4 in this application, of which claim 1 is independent, were rejected under 35 U.S.C. §103 as being made obvious by the combination of US PG Pub. No. 2003/0085932 ("Samra") and U.S. Patent 6,377,712 ("Georgiev"). The rejection is respectfully traversed.

According to Samra, a "systems and methods to optimize the processing of a sequence of images represented as a directed acyclic graph is provided." See, e.g., Abstract. Samra describes using conventional compositing programs to create a compositing tree. See, e.g., Samra at paragraphs 14 and 15. Samra further describes that:

A compositing tree is a directed acyclic graph that results when a user of a compositing program selects images and effects to create a final resulting image. When using compositing programs, a user manually designates images, sequences of images, and effects that will be combined to form a resulting sequence of images. (Samra at paragraph 19)

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However, this merely describes the effects applied to media in a tree view as shown in the instant application at FIG. 1.

Claim 1, as amended, recites:

means for enabling a user to interactively edit in the editing window one or more transformation hierarchies including one or more geometrical transformation operators ...

means for enabling a user to interactively edit in the editing window one or more effects trees including effects operators ...

means for enabling a user to connect an output of a transformation operator to an input of an effect operator for receiving the transformation data

a display operable to present the editing window including both the one or more transformation hierarchies and the one or more effects trees to the user

The Office Action recognizes the shortcomings Samra admitting that "Samra does not explicitly disclose including one or more geometrical transformations operators employing mathematical matrices." The Office Action attempts to supplement the shortcomings of Samra by citing Georgiev. While Georgiev appears to disclose various transformation matrices in FIGS. 2 and 3, there is no supportable reason for asserting that these references render obvious claim 1. The Office Action asserts that it would have been obvious to combine Samra and Georgiev because, "[o]ne would have been motivated to do so in order to give [the] user greater flexibility and greater control in editing transform hierarchies within an effects tree." However, there is no evidence in the record that supports an assertion that one of ordinary skill in the art would have recognized, prior to this invention, that it was desirable to edit transform hierarchies within an effects tree, or that greater flexibility or greater control would have been provided by doing so.

Thus, the motivation alleged in the Office Action is nothing more than a conclusory statement, and is not a reasoned argument based on evidence in the record that supports the stated conclusion. Therefore, the rejection is improper.

Accordingly, the rejection with regard to independent claim 1 should be withdrawn in view of the foregoing.

The subject matter of claims 2-4, which depend from claim 1, also are not described by Samra and Georgiev, for at least the same reasons set forth above with respect to claim 1. Therefore, the rejection of dependent claims 2-4 in view of Samra and Georgiev should be withdrawn.

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Claims 5 in this application, which depends on independent claim 1, was rejected under 35 U.S.C. §103 as being made obvious by the combination of Samra, Georgiev and US Patent 6,924,821 ("Trinh" et al). The rejection is respectfully traversed.


The Office Action asserts that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to include time varying in Samra." However, Samra does not describe "transform operators in a transformation hierarchy," and claim 5 explicitly recites that "transform operators in a transformation hierarchy and effect operators in an effect tree are both kinds of time-varying objects." Thus, even assuming arguendo that combination of Samra and Trinh may produce effect operators that are a kind of time-varying object, there is nothing cited in Trinh which would describe that a transform operator can be a kind of time-varying object. Thus, this rejection fails to make a prima facie case of obviousness in view of the cited references.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any fee to **Deposit Account No. 50-0876**.

Respectfully submitted,


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